

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JOHN DOE,**

**Plaintiff,**

**v.**

**AMCO INSURANCE COMPANY,**

**Defendant.**

---

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**7:05CV5006**

**REPORT AND  
RECOMMENDATION**

This matter is before the magistrate judge for full pretrial supervision. The case was filed May 6, 2005. To date, the court file does not reflect that process has been served on the defendant. The plaintiff has not responded to the court's September 22, 2005 order requiring him to (1) effect service on the defendant and file proof of same with the court or (2) show cause why this case should not be dismissed without prejudice for failure to effect service within the 120-day time limit specified in Fed. R. Civ. P. 4(m).

**IT THEREFORE IS RECOMMENDED** that this case be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m).

**DATED October 11, 2005.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**